

## **REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 9-16 and 21-24 are requested to be cancelled without prejudice. Claims 1 and 4-5 are currently being amended and claims 25-36 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-8 and 25-36 are now pending in this application.

### **Claim Rejections under 35 U.S.C. 102**

On page 2 of the Office Action dated June 4, 2007, claims 1-5 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,482,715 (Park). Applicant respectfully traverse the rejection. Park does not describe Applicant's claimed method as recited in claim 1, as amended.

Claim 1, as amended requires *inter alia*:

forming a second mask layer over the second side walls;

forming a first type liner on the first side walls;

removing the second mask layer from the second side walls;

forming a third mask layer over the first side walls; and

forming a second type liner on the second side walls, wherein the first type liner is disposed directly on the first sidewalls and the second type liner is disposed directly on the second side walls.

Park applies all of the layers to all side walls (regardless of the region) and then removes, from, one of the two types of regions, all but one of the layers applied while the other type of regions maintain all of the layers. Park does not disclose applying a mask layer to the second side walls, forming a first liner on the first side wall, removing that mask layer, applying another mask layer to the first side walls and then forming the second liner on the second side walls.

Thus Park fails to disclose, teach or suggest every claim element required by independent claim 1, as amended. Claims 2-5 depend from claim 1. Therefore the rejection of claims 1-5 under 35 U.S.C. 102(b) cannot be properly maintained. Withdrawal of the rejection is respectfully requested.

### **Claim Rejections under 35 U.S.C. 103**

On page 3 of the Office Action, claims 6-8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Park in view of U.S. Patent No. 6,737,706 (Lee). Applicants respectfully traverse the rejection.

As discussed above with respect to claim 1, from which claims 6-8 depend, Park does not disclose, teach or suggest “forming a second mask layer over the second side walls; forming a first type liner on the first side walls; removing the second mask layer from the second side walls; forming a third mask layer over the first side walls; and forming a second type liner on the second side walls, wherein the first type liner is disposed directly on the first sidewalls and the second type liner is disposed directly on the second side walls.” Lee does not satisfy the deficiencies of Park describe above with respect to claim 1, as amended.

Thus, the combination of Park and Lee fails to disclose teach or suggest each and every claim element required by claims 6-8. The rejection of claims 6-8 under 35 U.S.C. 103(a) cannot be properly maintained. Withdrawal of the rejection is respectfully requested.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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